

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN THE MATTER OF:)	
ADMINISTRATIVE ASSESSMENTS,)	GENERAL ORDER NO. 09-02
REGULATORY FEES, AND)	
FEE DISPUTES)	
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The Administrative Law Judge (“ALJ”) of the Guam Public Utilities Commission (“PUC”) has been advised by the PUC Administrator and Legal Counsel that most of the regulated utilities are delinquent in the payment of administrative assessments and regulatory fees. All utilities and telecommunication companies within the regulatory oversight supervision of the Guam Public Utilities Commission are hereby reminded of their duty to timely pay Administrative Assessment Fees and Regulatory Fees for professional services rendered, in accordance with 12 GCA §12002 and 12024.

Since the Commission does not receive legislative appropriation, it is dependent upon administrative assessments to fund its operations.

The regulated utilities and telecommunications companies have a duty to pay their annual administrative assessments in the amounts set forth in the ASSESSMENT ORDER adopted by the Commission on September 30, 2009. In addition, such regulated entities have the obligation to timely pay regulatory fees for professional fees assessed in dockets, certain of which fees are overdue.

It has further come to the attention of the Administrative Law Judge that there is a need to establish a mechanism whereby any disputes regarding PUC Regulatory Fees can be resolved. On occasion utilities and telecom companies before the PUC have disputed certain regulatory fees and expenses. Disputes have arisen when written objections have been made to full payment of PUC billings for regulatory fees. The following procedures shall be applicable to any dispute wherein a regulated utility or telecommunication company disputes a bill of the Public Utilities Commission for regulatory fees, or believes that it has a legitimate or *bona fide* reason for not paying a bill:

1. A regulated utility or telecommunications company disputing any billing of the PUC for regulatory fees or professional services must notify the Public Utilities Commission of such dispute in writing, within 30 days after receipt of such billing.

2. For any billing dispute which has previously been presented to the Commission in writing, the regulated utility or telecommunications company shall have 30 days from the date of this Order to bring this matter before the Commission pursuant to the procedures specified herein.
3. Fee dispute shall include the following information:
 - (a) Whether the disputed services were provided by the ALJ, Legal Counsel, or the Commission's Consultant;
 - (b) A copy of the bill or bills which are disputed, identified by date, PUC Invoice number, provider, and specific services which are being disputed.
 - (c) The precise dollar amount of the billing that is being disputed.
4. Any dispute(s) not filed within the timelines established herein will not be considered and will be deemed to have been waived.
5. For any disputes concerning billings of PUC Legal Counsel and/or Consultants, the ALJ will resolve such disputes; for disputes involving ALJ billings, such will be resolved by Legal Counsel.

In accordance with the foregoing, it is hereby ORDERED as follows:

1. All regulated utilities and telecommunications companies are further ordered to pay the administrative assessments set forth in the Assessment Order, issued by the Commission on September 30, 2009, and due on October 31, 2009, within seven days from receipt of the Order;
2. All regulated utilities and telecommunication companies are hereby ordered to become current in the payment of all regulatory fees owed for PUC dockets.
3. All regulated utilities and telecommunications companies shall file any disputes concerning regulatory fees in accordance with the procedure specified herein.

SO ORDERED this 11th day of November, 2009.

David A. Mair
Administrative Law Judge
Guam Public Utilities Commission